



Prescription Monitoring Program

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LAW ENFORCEMENT PRIVACY STATEMENT

Statutory Authority:

The South Carolina Department of Health and Environmental Control (DHEC) is granted authority under S.C. Code Ann. § 44-53-1640(A) to establish and maintain a program to monitor the prescribing and dispensing of all Schedule II, III, and IV controlled substances by professionals licensed to dispense these substances in this State. This program is intended to improve the state's ability to identify and stop diversion of prescription drugs in an efficient and cost effective manner that will not impede the appropriate medical utilization of licit controlled substances.

Access to Information:

S.C. Code Ann. § 44-53-1650(D) provides that Drug Control may provide data in the prescription monitoring program to the following persons:

- (1) A practitioner or pharmacist who requests information and certifies that the requested information is for the purpose of providing medical or pharmaceutical treatment to a bona fide patient;
- (2) An individual who requests the individual's own prescription monitoring information in accordance with procedures established pursuant to state law;
- (3) A designated representative of the South Carolina Department of Labor, Licensing and Regulation responsible for the licensure, regulation, or discipline of practitioners, pharmacists, or other persons authorized to prescribe, administer, or dispense controlled substances and who is involved in a bona fide specific investigation involving a designated person;
- (4) A local, state or federal law enforcement or prosecutorial official engaged in the administration, investigation, or enforcement of laws governing licit drugs and who is involved in a bona fide specific drug related investigation involving a designated individual;
- (5) The South Carolina Department of Health and Human Services regarding Medicaid program recipients;
- (6) A properly convened grand jury pursuant to a subpoena properly issued for the records;
- (7) Personnel of Drug Control for purposes of administration and enforcement of this article.

Unlawful Disclosure:

S.C. Code Ann. § 44-53-1650(A) provides that prescription information submitted to Drug Control is confidential and not subject to public disclosure under the Freedom of Information Act or any other provision of law.

S.C. Code Ann. § 44-53-1680(B) provides that a person or persons authorized to have prescription monitoring information pursuant to this article who knowingly discloses this information in violation of this article is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

S.C. Code Ann. § 44-53-1680(C) provides that a person or persons authorized to have prescription monitoring information pursuant to this article who uses this information in a manner or for a purpose in violation of this article is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

I understand that inappropriate access or disclosure of this information is a violation of South Carolina law and may result in criminal action and/or revocation of database access privileges.

Account Agreement:

By signing this agreement I hereby agree to follow the security policies of the PMP. I agree to not disclose nor misrepresent any data or protected health information to any unauthorized person or party. I agree that I will not share my account information with anyone, even if they are authorized users of the program.

Signature: _____ Date: _____

Print Name: _____